

T/SOR | 2 | 1 | 5

Gordon Mackenzie

From: Laurence Ward [Laurence.Ward@dundas-wilson.com]
Sent: 22 July 2011 14:36
To: Gordon Mackenzie
Subject: Hetherington Inquiry
Attachments: PRACTICE-#13762010-v2-Hetherington_Inquiry_Terms_of_Reference.DOC

Gordon

I refer to our telephone conversation earlier today.

As you know I am acting as Clerk to the Hetherington Inquiry which was established by the Principal to investigate the University's response to and management of the occupation of Hetherington House and the events that took place on 22 March 2011. I have attached a copy of the Inquiry's Full Terms of Reference to this email. The members of the Inquiry are:

Charles Kennedy (Chair)
 George Moore QC
 Professor Sheila Rowan
 Fraser Sutherland

The Inquiry has received written submissions from a wide range of people who have information pertinent to the Inquiry. Unfortunately, the Inquiry has received no evidence from anyone who was actually part of the Hetherington House occupation or otherwise part of the group that is known as "Free Hetherington". The members of the Inquiry are very keen to hear evidence from individuals within that group and would like to invite one or more of them to give oral evidence directly to the members of the Inquiry on 27 July, 1 August or 2 August. I understand that you are in contact with those who are currently in occupation of the building and I would be grateful if you could pass a copy of this email to them and invite them to contact me directly if they would be willing to give evidence. My contact details are below. The hearing of evidence will be at our offices at 191 West George Street, Glasgow.

It has been suggested that a number of individuals who are in a position to contribute important evidence may be reluctant to do so for fear that their evidence be used against them (or indeed others) in relation to possible student or staff disciplinary procedures. In this regard, the University has confirmed to the Inquiry that it will not seek to obtain copies of any written statements or other evidence provided to the Inquiry and, that, in any event, it will not use any written statement provided to the Inquiry in any disciplinary or other University process without the prior written consent of the person making that statement. The Inquiry, for its part, can confirm that evidence given to it will not be shared with the University.

Many thanks for your assistance in this regard.

Laurence

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22/07/2011

The Hetherington Inquiry

Terms of Reference

1. BACKGROUND

- 1.1 On 22 March 2011 attempts by the University to end a seven week occupation of Hetherington House led to considerable public disorder and disturbance on the University of Glasgow campus. A considerable police presence was deployed on campus and protestors were removed amid unruly scenes. Protesters subsequently occupied part of the University's main administrative building. The protestors agreed to leave on being allowed to reoccupy the Hetherington House. Concerns have been raised that the actions taken by University staff and by Strathclyde Police were excessive, unnecessary and/ or inappropriate.
- 1.2 The Principal of the University, Professor Anton Muscatelli, has established an independent inquiry into:
- 1.2.1 the University's response to and management of the occupation during the period up to 22 March 2011; and
 - 1.2.2 the events that took place on 22 March 2011, (including the factors that contributed to the disturbances, the occupation of the main administrative building and their subsequent handling).

2. PURPOSE

- 2.1 The aim is to establish the facts and make recommendations as to how the University should respond in future to large protests, occupations of buildings and major public order incidents on campus with a view to:
- 2.1.1 striking the right balance between the right to protest and the normal operation of the University, and
 - 2.1.2 minimising the prospect of public disorder on campus.

3. SCOPE

- 3.1 The Inquiry will examine:
- 3.1.1 the nature of the occupation of Hetherington House;
 - 3.1.2 the University's response to the occupation of the Hetherington House and to the subsequent occupation of the main administrative building;
 - 3.1.3 the liaison that took place between University staff and Strathclyde Police prior to, during and following the disturbances on 22 March 2011;

3.1.4 the liaison that took place between University staff and student representatives (including the SRC) during the occupations.

4. **CONDUCT**

4.1 The Inquiry Panel will be chaired by The Rector, Charles Kennedy and will also include one representative from each of the University Court, Senate and the SRC. The University will provide The Rector with the access and resources he requires to conduct the Inquiry as he sees fit.

4.2 The Panel will receive evidence from interested parties and individuals who were involved in any of the events under examination or who witnessed any of the events under examination, and which will contribute to the Inquiry achieving its aim.

5. **REPORTING**

5.1 The final report of the Inquiry will be made openly available to the public.

T/50c/2/1/5



Information for staff: MyGlasgow

LINKS

- [Terms of Reference - Hetherington Inquiry pdf](#)

Hetherington Inquiry

Issued: Mon, 04 Apr 2011 15:57:00 BST

Hetherington Inquiry

The independent inquiry into the events that took place on Campus on 22 March has now been established and the Panel selected. The Inquiry will be known as the "Hetherington Inquiry".

The membership of the Panel is as follows:

- The Rector, Charles Kennedy (Chair)
- Representing the University Court: George Moore QC
- Representing Senate: Professor Sheila Rowan
- Representing the SRC: Mr Fraser Sutherland.

The Terms of Reference for the Inquiry are available in the link on the right.

The first meeting of the Panel is due to take place later this week. It is expected that a number of individuals will wish to provide evidence to the Inquiry either in person or by means of a written submission. Information will be provided on the University's website during the course of next week as to how they may do so.

<< News

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5. **REPORTING**

5.1 The final report of the Inquiry will be made openly available to the public.

T/SOR/2/1/5

-----Original Message-----

From: Adam Tomkins [mailto:Adam.Tomkins@glasgow.ac.uk]

Sent: 23 March 2011 10:19

To: Keith Hammond; Allan Mowat; Sheila McLean;
paul.routledge@glasgow.ac.uk; Robert Gibbs; Angela Woolton; Susan
Stuart; Laura Martin

Cc: John Eldridge; Rebecca Kay; Jan Culik; arts-college-
staff@glasgow.ac.uk; scieng-college-staff@glasgow.ac.uk; MVLS-College-
Staff@glasgow.ac.uk; socsci-rt-staff@glasgow.ac.uk; UCU Glasgow;
quanticuts@gmail.com; Anton Muscatelli
Subject: David Newall's statement

I'd like to thank David Newall for finally breaching the University's wall of silence. Sadly, however, his statement poses as many questions as it answers. I should like answers, for example, to the following:

1. Who, precisely, decided that the police needed to be called in?
2. While I have no problem with the police having lawful authority to help "manage the situation", as David Newall puts it, as a lawyer I am still at a loss to know how this translates into the police having the lawful authority forcibly to remove our students from the Hetherington. Crowd control is one thing in law: a forcible eviction quite another.
3. While David Newall is correct to say that it is not for the University to determine what the police presence should be, may we not assume that the police would have determined what presence was needed at least in part on the basis of advice and intelligence coming from the University (ie the intelligence that, as David Newall states, this "has been generally a peaceful protest"). The University cannot evade responsibility by blaming operational matters solely on the police.
4. Do the University authorities share the view, widely expressed yesterday (including on BBC Newsnight) that the police action was disproportionate? Are we not entitled to ask whether the University supports the police action yesterday, or whether it shares the concerns that have been expressed?
5. Does last's inglorious u-turn (allowing the students back into the Hetherington) risk exposing the University to liability for wasting police time?
6. What kind of public inquiry does the University now envisage setting up to investigate yesterday's events, which surely cannot but have brought our University into disrepute?

Best wishes,

Adam Tomkins
Professor of Public Law

T/SOR/2/1/5

-----Original Message-----

From: Jane Duckett [mailto:Jane.Duckett@glasgow.ac.uk]

Sent: 22 March 2011 22:19

To: arts-college-staff@glasgow.ac.uk; MVLS-College-Staff@glasgow.ac.uk; scieng-college-staff@glasgow.ac.uk; socsci-rt-staff@glasgow.ac.uk

Subject: RE: News Update, Glasgow University

A student of mine on SRC said he thought it was to be refurbished for use by doctoral students.
Jane

Jane Duckett

Professor of Chinese and Comparative Politics Director, Scottish Centre for Chinese Social Science Research Co-editor, POLITICS School of Social and Political Sciences Adam Smith Building University of Glasgow Glasgow G12 8RT Scotland, UK jane.duckett@glasgow.ac.uk
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J. Duckett, *The Chinese State's Retreat from Health: Policy and the Politics of Retrenchment* (London & New York: Routledge, 2010).

B. Carrillo & J. Duckett (eds), *China's Changing Welfare Mix: Local Perspectives* (London & New York: Routledge, 2011).

The University of Glasgow, charity number SC004401.

-----Original Message-----

From: Rebecca Kay [mailto:Rebecca.Kay@glasgow.ac.uk]

Sent: 22 March 2011 21:25

To: 'Ian MacLaren'; arts-college-staff@glasgow.ac.uk; MVLS-College-Staff@glasgow.ac.uk; scieng-college-staff@glasgow.ac.uk; socsci-rt-staff@glasgow.ac.uk

Subject: RE: News Update, Glasgow University

Was the building not left to the university as a bequest for the use of STUDENTS!! If so then this would be breaking the terms of that.

A suggestion has been made for a creative and symbolic response to today's events - leave flowers and wreaths outside the building tomorrow as a symbol of mourning and regret for what happened today.

Best

Rebecca Kay

(CEES)

-----Original Message-----

From: Ian MacLaren [mailto:ian.maclaren@glasgow.ac.uk]

Sent: 22 March 2011 21:18

To: arts-college-staff@glasgow.ac.uk; MVLS-College-Staff@glasgow.ac.uk; scieng-college-staff@glasgow.ac.uk; socsci-rt-staff@glasgow.ac.uk

Subject: Re: News Update, Glasgow University

Further to my earlier message I have received information that it internal gossip in Arts suggests that the space is to be split between a number of subject units, most likely in Arts.

Others may be able to shed more light on this

Best wishes

Ian MacLaren

T/50R/2/1/5

On 22 Mar 2011, at 15:25, Ian MacLaren wrote:

>

> On 22 Mar 2011, at 14:21, Jan Čulík wrote:

>

>>

>> <http://news.stv.tv/scotland/west-central/237901-student-protesters-claim-they-are-being-evicted-from-glasgow-university/>

>> aim-they-are-being-evicted-from-glasgow-university/

>>

>

>

> I quote from the STV article from an unnamed spokesperson for the University:

>

> "The University has allowed the students to sustain their protest for some seven weeks. However, their continuing presence in No 13 University Gardens is now jeopardizing plans the University has to refurbish the accommodation and to develop it for academic use."

>

> Am I the only one who has no idea what the University is talking about? I haven't heard about plans to redevelop this building for academic use, or which School or College it was planned to be given to, or about any future plans for a social space for postgraduates and mature students. Correct me if I'm wrong, but a quick scan of recent court and senate business shows no discussion of any proposals for the redevelopment of this building, so anything that is being proposed by the University for the redevelopment of this building does not appear to have been discussed or approved at the official governing bodies for the University. If this is indeed the case, on what or whose mandate is the University acting in seeking to evict the student protesters?

>

> Best wishes

>

> Ian

Dr Ian MacLaren
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University of Glasgow
Glasgow G12 8QQ

<http://www.ssp.gla.ac.uk/>

The University of Glasgow, charity number SC004401

-----Original Message-----

T/SOR/2/1/5

From: Norman Gray [mailto:norman@astro.gla.ac.uk]
Sent: 23 March 2011 13:05
To: Alan Birkbeck
Cc: arts-college-staff@glasgow.ac.uk; scieng-college-staff@glasgow.ac.uk; MVLS-College-Staff@glasgow.ac.uk; socsci-rt-staff@glasgow.ac.uk; UCU Glasgow; guanticuts@gmail.com
Subject: Hetherington bequest [was: David Newall's statement]

Greetings.

[CC list pruned]

On 2011 Mar 23, at 11:45, Alan Birkbeck wrote:

> I was under the impression that the premises were left for the use of the students? If so why are the management going back on the original agreement and was is it not an academic use it was fulfilling when under siege.

This is a persistent myth, but it is (unfortunately) a myth.

I've corresponded with a couple of folk off-list about this, but to avoid this story getting legs, it seems prudent to respond generally.

The last HRC committee did some archival digging and discovered no support for this. The following notes are from Lynn McBurney, to whom many thanks.

- > I started with Court Minutes from 1965 (death of Hetherington) and > worked backwards. It seems that No13 was never owned by Hector.
- >
- > In Feb 1952 the principal stated that the Association of University > Lecturers and Assistants had regularly discussed with him the lack of > a commonroom facility for research and other pg students. At that > point a committee was formed to look into the possibility of using > Noll Bute Gardens for that purpose, as it had just become vacant.
- >
- > April 1952: Court informed by factor that the tenant at No13 Uni Gdns > had given notice. The fact that it was being rented on behalf of the > University at this point suggests, that however it came into the Uni's > possession, it was not with a stipulation that it was as a facility > for students.
- >
- > Following this, the Committee shifted its attention from Bute Gdns to > No13 and by July there was an agreement to move forward with the plan > for a Club at No13.
- >
- > In 1954 'The Club's' first committee (drawn from senior academic > staff) were asked to find themselves a suitable name, and that is when > the Hetherington bit enters the story. From then on No13 appears in > the record as "Hetherington House, the Research Students' Club" and > had it's official opening in January 1955.

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Interesting things about this story:

* The Research Club started off as a staff-student collaboration, with a focus on PG support. It remained nominally a PG club, but with staff welcome to join and remaining a significant component of the membership.

* Starting in 1954, the club was probably the longest-running organisation of its type, and appeared to be one of only two comparable organisations (ie including staff in its membership) in the UK

Best wishes,

Norman

--

Norman Gray : <http://nwg.me.uk>
School of Physics and Astronomy, University of Glasgow, UK